

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.27360 of 2006

08.11.2006

Between:

Kagithala Radhamma, W/o.Muniswamy Reddy

... Petitioner

AND

The Sub-Registrar of Assurances and Registration,
Renigunta, Chittoor District

... Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.27360 of 2005

ORDER:

The petitioner is statedly purchased the land admeasuring Ac.2.25 in survey Nos.54/2, 54/3, 54/4 and 54/5 situated at Damineedu Village of Tirupathi Rural Mandal in Chittoor District under sale deed dated 06.3.1972 from C.Atchamma, W/o.C.A.Vadivelu. The petitioner alleges that when the sale deed is presented an application before the respondent for ascertaining market value for the purpose of registration, the same was rejected. Aggrieved by the action of the respondent in refusing to receive and register the sale deed for registration, the present writ petition is filed.

Heard learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General-A). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer, to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of. If the petitioner is aggrieved by the proceedings of the Registering Authority, it shall be open to him to file appeal under Section 72 of the Act before the District Registrar. If the District Registrar i.e., the Appellate Authority declines to give direction to the Registering Authority, the aggrieved person has to file a suit under Section 77 of the Act.

The writ petition, subject to the above observations, is accordingly disposed of. No costs.

(V.V.S.RAO,J)

November 08, 2006.

YS